

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

IN RE:

JEFFREY SCOTT HAUK
MANDY ANN HAUK

DEBTOR(S)

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CASE NO. 12-06017-AJM-13

MOTION TO AVOID WHOLLY UNSECURED MORTGAGE
AND NOTICE OF OBJECTION DEADLINE

The debtor(s) hereby move(s) the Court, pursuant to 11 U.S.C. §1322(b)(2), to avoid the wholly unsecured mortgage of Chase Home Finance on the following real property:

815 Catalpa Dr., Anderson, IN 46013 ("Property").

In support of the motion, the debtor(s) state(s) the following:

1. The debtor(s) filed a case on May 21, 2012 ("Petition Date").
2. The creditor obtained a mortgage on the Property on 1/2000.
3. The value of the Property as of the Petition Date is \$47,900.00.
4. The total amount of all other liens on the Property are as follows: Chase Home Finance @\$72,472.00 and the total amount of all other liens on the Property is \$72,472.00.
5. The creditor's mortgage is in the amount of \$17,574.00.
6. The creditor's mortgage is wholly unsecured and is subject to avoidance under 11 U.S.C. §1322(b).

PLEASE TAKE NOTICE THAT any objection must be filed with the Bankruptcy Clerk within **21 days** of the date of this notice [or such other time period as may be permitted by Fed.R. Bankr.P. 9006(f)]. Those not required or not permitted to file electronically must deliver any objection by U.S. mail, courier, overnight/express mail, or in person at:

Indianapolis
116 U.S. Courthouse
46 Ohio St. Room 116
Indianapolis, IN 46244

The objecting party must ensure delivery of the objection to the party filing the motion. **If an objection is NOT timely filed, the requested relief may be granted.**

WHEREFORE, debtor(s) moves(s) the Court to enter an order avoiding creditor's mortgage and granting such other relief as appropriate.

Date: 6/29/2012

/s/Mark S. Zuckerberg#13815-49

Mark S. Zuckerberg#13815-49
333 N. Pennsylvania St., Ste. 100
Indianapolis, IN 46204
Phone: (317) 687-0000
Fax: (317) 687-5151
Email: filings@mszlaw.com
Attorney for Debtors

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a copy of the foregoing pleading was served upon the following by first class United States mail, postage prepaid, or by electronic mail on 6/29/2012:

Nancy Gargula, U.S. Trustee

Robert A. Brothers, Trustee

VIA CERTIFIED

Highest Ranking Officer
Chase Home Finance
Corporate Headquarters
3401 Morse Crossing
Columbus, OH 43219

/s/Mark S. Zuckerberg#13815-49

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